

TRAUB LIEBERMAN
STRAUS & SHREWSBERRY LLP
NEW YORK | NEW JERSEY | FLORIDA

Mid-Westchester Executive Park
Seven Skyline Drive
Hawthorne, New York 10532

Telephone (914) 347-2600
Facsimile (914) 347-8898
www.traublieberman.com

February 15, 2007

VIA FEDERAL EXPRESS

Hon. Charles L. Brieant
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas St., Room 275
White Plains, NY 10601

Re: *Termini v. Ossining Union Free School District, et al.*
Civil Action No. 07cv10483 (CLB)

Honorable Sir:

On January 18, 2008, as counsel for defendants in the above-captioned matter, we served and filed a motion dismiss the complaint, with an accompanying memorandum of law and other supporting documentation. This motion was to be fully briefed no later than February 15, 2008, and the parties were to appear before the Court on this matter on February 22, 2008, at 10:00 a.m. However, in lieu of any opposition to our motion, plaintiff served and filed an amended complaint on January 31, 2008. Thus, mooted our original motion to dismiss.

Pursuant to the Federal Rules of Civil Procedure, defendants are to answer or otherwise respond to the amended complaint on or before February 15, 2008. Accordingly, we enclose herewith two courtesy copies of our motion to dismiss the amended complaint by defendants Ossining Union Free School District and Board of Education of the Ossining Union Free School District pursuant to F.R.C.P. 12(b)(6), for your review. Copies of same have been served and filed via the Electronic Case Filing System earlier today, pursuant to the Federal Rules of Civil Procedure.

RECEIVED
MARCH 12 2008
SOUTHERN DISTRICT COURT
UNITED STATES DISTRICT COURT
WHITE PLAINS, NEW YORK
2008 CLB 07cv10483
CHARLES L. BRIEANT

Hon. Charles L. Brieant
Termini v. Ossining UFSD, et al.
Page 2

We thank your Honor for consideration of this matter.

Respectfully submitted,

TRAUB LIEBERMAN STRAUS & SHREWSBERRY LLP



A handwritten signature in black ink, appearing to read "BETH J. HOFFMAN".

Beth J. Hoffman

Encl.

cc: Jonathan Lovett, Esq.
Lovett & Gould, LLP
Attorneys for Plaintiff
222 Bloomingdale Road
White Plains, N.Y. 10605